GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Allegations of acquisition of disproportionate assets to the known source of legal income against Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd.) – Criminal case CC No.01/2007 – Convicted – Withholding of pension and gratuity in full and permanently under A.P.Revised Pension Rules, 1980 – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Ms.No.253 Dated :07-07-2015
Read the following :

1.From DG., ACB., Lr.No.166/RCA-VSK/2002-S12, dt.03-10-2002
2.G.O.Ms.No.986, Rev (Vig.I) Dept., dated 22-11-2002.
3.From DG., ACB., Lr.No.166/RCA-VSK /2002, dt.28-02-2006.
4.G.O.Ms.No.705, Rev (Vig.I) Dept., dated 15-06-2006.
5.Judgment of Hon`ble Spl.Judge for SPE & ACB cases cum III Addl.District & Sessions Judge, Visakhapatnam in CC No.1/07, dt.24-4-2015 received from DG., ACB vide Lr.No.166/RCA-VSK/ 2002-S,12, dated 20-06-2015.
6.Government Memo No.63488/Vig.II(3)/2002-17, dated 07-07-2015.

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**O R D E R :**

Whereas, it has been brought to the notice of the Government by the Director General, Anti Corruption Bureau, Hyderabad that the Accused Officer, Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd.) was found to have acquired and possessed assets which are disproportionate to his known source of income and that he had failed to account for the said possession, vide reference 1st read above. The Government after examining the matter have accorded permission authorizing the Inspector of Police, Srikakulam to file an application before the Additional District and Sessions Judge-cum-Special Police Establishment for Anti Corruption Bureau cases, Visakhapatnam for attachment of properties of the Accused Officer under Sections 3 and 4 of the Criminal Law Amendment Ordinance, 1944, vide reference 2nd read above.

2. And whereas, the Government after examining the final report of the Director General, Anti Corruption Bureau, Hyderabad received, vide reference 3rd read above, have accorded sanction to prosecute the Accused Officer, Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd.) in a court of law for the offences punishable under section 13 (2) read with 13 (1) (e) of the Prevention of Corruption Act 1988, in the reference 4th read above.

3. And whereas, the Hon`ble Special Judge for Special Police Establishment and Anti Corruption Bureau cases, Visakhapantam has pronounced judgement on 24-04-2015 in CC No.01/2007 finding that Accused Officer, Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd.) was guilty and also convicted for the charge holding that the Accused Officer was in possession of disproportionate assets of Rs.17,85,264/-. The Hon`ble Court further observed that value of the Asset Nos. 1, 2, 4 and 5, comes to Rs.21,18,400/- and except the above mentioned assets, the value of other assets are not sufficient to make confiscation of the equivalent value of the disproportionate assets, hence ordered to confiscate the properties under Asset Nos.1, 2, 4 & 5 mentioned in the charge sheet and to realise the disproportionate amount of Rs.17,85,267/- from the value of the assets mentioned above and to return the balance amount of Rs.3,33,136/- to the Accused Officer, vide reference 5th read above.

(p.t.o)

4. And whereas, after careful consideration of the facts and circumstances of the case with reference to the instructions issued in G.O.Ms. No.2, General Administration (Ser-C) Department, dated 04-01-1999 read with instructions issued in Memo No.178/Spl.C/2003-1, General Administration (Spl.C) Department, dated 07-05-2003, Government have decided to impose the penalty of withholding of entire pension and gratuity in full and permanently against Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd) with immediate effect.

5. Now, therefore in exercise of the powers conferred under Sub-Rule (2) of Rule 8 and Sub-Rule (1) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, read with instructions issued in G.O.Ms.No. 2, General Administration (Ser.C) Department, dated 04-01-1999 and Memo No.178/Spl.C/2003-1, General Administration (Spl.C) Department, dated 07-05-2003, Government hereby impose the penalty of withholding of entire pension and gratuity in full and permanently against Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd) with immediate effect. Separate instructions have been issued for realization of the disproportionate amount from the Accused Officer, vide reference 6th read above.

6. The Commissioner of Commercial Taxed, Andhra Pradesh, Hyderabad shall take necessary action accordingly.

**NOTIFICATION**

7. The following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette dated 10-07-2015 :

In exercise of the powers conferred under Sub-Rule (2) of Rule 8 and Sub-Rule (1) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, read with instructions issued in G.O.Ms.No.2, General Administration (Ser.C) Department, dated 04-01-1999 and Memo No.178/Spl.C/2003-1, General Administration (Spl.C) Department, dated 07-05-2003, Government hereby impose the penalty of withholding of entire pension and gratuity in full and permanently against Sri M.Jayaraj Kumar, former Deputy Commercial Tax Officer, Kasibugga, Srikakulam District (now Retd) with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.Jayaraj Kumar, Deputy Commercial Tax Officer, (Commercial Taxes) (now Retd)
**(through the Commissioner of Commercial Taxes, A.P., Hyderabad)**
The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.
**(with a request to serve the G.O. on the individual and send served copy with dated signature to Government for record)**
The Commissioner of Printing, Stationery & Stores Purchase, A.P., Hyderabad.
**(with a request to publish the G.O. in the extraordinary Gazette and furnish 10 copies to Government)**

**Copy to:**
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
The Director General, Anti-Corruption Bureau, Hyderabad.
The Pay and Accounts Officer, A.P., Hyderabad.
The Director of Treasuries & Accounts, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Revenue (CT-I) Department.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER